

and Budget, in consultation with the Administrator of General Services, shall develop standards and guidelines for executive agencies to—

(1) prohibit Federal funds from being awarded by contract, subcontract, grant, or subgrant for the procurement of solar panels that are manufactured or assembled by a covered entity; and

(2) prohibit the use of government-issued purchase cards to purchase solar panels that are manufactured or assembled by a covered entity.

(b) AMENDMENT OF FEDERAL ACQUISITION REGULATION.—Not later than 180 days after the date of the enactment of this Act, the Federal Acquisition Regulatory Council shall amend the Federal Acquisition Regulation to implement the prohibition established pursuant to subsection (a)(1) with respect to Federal contracts and subcontracts.

#### SEC. 4503. EXEMPTION WAIVER.

(a) IN GENERAL.—The head of an executive agency may obtain a waiver from the prohibition implemented pursuant to section 4502 if the agency head certifies to the Secretary of State and the Secretary of Homeland Security that the covered entity is the only viable source for the solar panels and the Secretary of State and the Secretary of Homeland Security jointly approve the waiver request.

(b) NOTIFICATION REQUIREMENTS.—

(1) IN GENERAL.—The head of an agency requesting a waiver under this section shall notify the Director of the Office of Management and Budget of the request. The Director of the Office of Management and Budget shall submit to the appropriate congressional committees a quarterly report listing requests listing under subsection (a), including whether each such request was approved or rejected.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this subsection, the term “appropriate congressional committees” means—

(A) the Committee on Foreign Relations and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(B) the Committee on Foreign Affairs and the Committee on Oversight and Reform of the House of Representatives.

#### SEC. 4504. COMPTROLLER GENERAL REPORT.

Not later than 275 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on the amount of solar panels procured by Federal departments and agencies from covered entities.

#### SEC. 4505. STUDY.

(a) INDEPENDENT STUDY.—Not later than one year after the date of the enactment of this Act, the Director of the Office of Management and Budget shall seek to enter into a contract with a federally funded research and development center under which the center will conduct a study of—

(1) the current and future domestic market of solar panel production;

(2) the ability of the solar panel domestic market to keep pace with technological advancements across the industry; and

(3) the current global supply chain and workforce involved with solar panel production.

(b) SUBMISSION TO CONGRESS.—Not later than 30 days after the date on which the Director of the Office of Management and Budget receives the study under subsection (b), the Director shall submit the study to—

(1) the Committee on Homeland Security and Governmental Affairs and the Committee on Energy and Natural Resources of the Senate; and

(2) the Committee on Homeland Security, the Committee on Oversight and Reform, and the Committee on Energy and Commerce of the House of Representatives.

#### SEC. 4506. DEFINITIONS.

In this subtitle:

(1) COVERED ENTITY.—The term “covered entity” means any entity domiciled in the People’s Republic of China or subject to influence or control by the Government of the People’s Republic of China or the Communist Party of the People’s Republic of China, as determined by the Secretary of Homeland Security.

(2) EXECUTIVE AGENCY.—The term “executive agency” has the meaning given the term in section 133 of title 41, United States Code.

(3) SOLAR PANEL.—The term “solar panel” means crystalline silicon photovoltaic (PV) cells and modules.

**SA 1612.** Mr. SCOTT of Florida submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

#### SEC. \_\_\_\_ . SECURITIES.

(a) IN GENERAL.—Section 6(b) of the Securities Exchange Act of 1934 (15 U.S.C. 78f(b)) is amended by adding at the end the following:

“(11) The rules of the exchange require an issuer, before the initial listing of any security of the issuer on the exchange, and in each annual report filed with the Commission and the exchange under section 13(a), to disclose the following information:

“(A) Whether the Government of the People’s Republic of China has provided the issuer with any financial support, including—

“(i) any direct subsidy, grant, loan, loan guarantee, tax concession, or benefit with respect to procurement policy; or

“(ii) any other form of support.

“(B) If the Government of the People’s Republic of China has provided support described in subparagraph (A), the conditions under which that Government provided that support, including whether that Government required the issuer to—

“(i) satisfy certain requirements with respect to exports;

“(ii) purchase items from certain entities;

“(iii) use certain intellectual property; or

“(iv) employ members of the Chinese Communist Party or other employees of that Government.

“(C) Whether there are any committees of the Chinese Communist Party established within the issuer, which shall include the disclosure of—

“(i) which employees of the issuer comprise that committee; and

“(ii) the roles played by the employees described in clause (i).

“(D) Information regarding each individual who, as of the date on which the disclosure is made, is an officer or director of the issuer (or a subsidiary of the issuer) and holds, or previously held, a position with the Chinese Communist Party or the Government of the People’s Republic of China, including the title of that position and the geographic location in which the individual holds or held that position, as applicable.”.

(b) RULES.—Not later than 180 days after the date of enactment of this Act, the Secu-

rities and Exchange Commission shall make any amendments to the rules of the Commission that are necessary as a result of the amendments made by subsection (a).

**SA 1613.** Mr. SCOTT of Florida submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III of division F, add the following:

#### SEC. 6302. PROHIBITION ON IMPORTATION OF CITRUS FROM PEOPLE’S REPUBLIC OF CHINA.

The importation of pummelo, Nanfeng honey mandarin, ponkan, sweet orange, and Satsuma mandarin citrus from the People’s Republic of China is prohibited.

**SA 1614.** Mr. SCOTT of Florida submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title III of division F, insert the following:

#### SEC. 63 \_\_\_\_ . SECURING THE BULK-POWER SYSTEM.

(a) DEFINITIONS.—In this section:

(1) BULK-POWER SYSTEM.—

(A) IN GENERAL.—The term “bulk-power system” has the meaning given the term in section 215(a) of the Federal Power Act (16 U.S.C. 824o(a)).

(B) INCLUSION.—The term “bulk-power system” includes transmission lines rated at 69,000 volts (69 kV) or higher.

(2) COVERED EQUIPMENT.—The term “covered equipment” means items used in bulk-power system substations, control rooms, or power generating stations, including—

(A)(i) power transformers with a low-side voltage rating of 69,000 volts (69 kV) or higher; and

(ii) associated control and protection systems, such as load tap changers, cooling systems, and sudden pressure relays;

(B)(i) generator step-up (GSU) transformers with a high-side voltage rating of 69,000 volts (69 kV) or higher; and

(ii) associated control and protection systems, such as load tap changers, cooling systems, and sudden pressure relays;

(C) circuit breakers operating at 69,000 volts (69 kV) or higher;

(D) reactive power equipment rated at 69,000 volts (69 kV) or higher; and

(E) microprocessing software and firmware that—

(i) is installed in any equipment described in subparagraphs (A) through (D); or

(ii) is used in the operation of any of the items described in those subparagraphs.

## (3) CRITICAL DEFENSE FACILITY.—

(A) IN GENERAL.—The term “critical defense facility” means a facility that—

(i) is critical to the defense of the United States; and

(ii) is vulnerable to a disruption of the supply of electric energy provided to that facility by an external provider.

(B) INCLUSION.—The term “critical defense facility” includes a facility designated as a critical defense facility by the Secretary of Energy under section 215A(c) of the Federal Power Act (16 U.S.C. 824o–1(c)).

(4) CRITICAL ELECTRIC INFRASTRUCTURE.—The term “critical electric infrastructure” has the meaning given the term in section 215A(a) of the Federal Power Act (16 U.S.C. 824o–1(a)).

(5) DEFENSE CRITICAL ELECTRIC INFRASTRUCTURE.—The term “defense critical electric infrastructure” has the meaning given the term in section 215A(a) of the Federal Power Act (16 U.S.C. 824o–1(a)).

(6) ENTITY.—The term “entity” means a partnership, association, trust, joint venture, corporation, group, subgroup, or other organization.

(7) FOREIGN ADVERSARY.—The term “foreign adversary” means any foreign government or foreign nongovernment person engaged in a long-term pattern or serious instances of conduct significantly adverse to—

(A) the national security of—

(i) the United States; or

(ii) allies of the United States; or

(B) the security and safety of United States persons.

(8) PERSON.—The term “person” means an individual or entity.

(9) PROCUREMENT.—The term “procurement” means the process of acquiring, through purchase, by contract and through the use of appropriated funds, supplies or services, including installation services, by and for the use of the Federal Government.

(10) TRANSACTION.—The term “transaction” means the acquisition, importation, transfer, or installation of any bulk-power system electric equipment by any person, or with respect to any property, subject to the jurisdiction of the United States.

(11) UNITED STATES PERSON.—The term “United States person” means—

(A) an individual who is—

(i) a citizen of the United States; or

(ii) an alien lawfully admitted for permanent residence in the United States;

(B) an entity organized under the laws of the United States or any jurisdiction within the United States, including a foreign branch of such an entity; and

(C) any person in the United States.

## (b) PROHIBITION.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, no person that is the owner or operator of defense critical electric infrastructure may engage in any transaction relating to that defense critical electric infrastructure that involves any covered equipment in which a foreign adversary has an ownership or any other interest, including through an interest in a contract for the provision of the covered equipment, over which a foreign adversary has control, or with respect to which a foreign adversary exercises influence, including any transaction that—

(A) is initiated after the date of enactment of this Act; and

(B) the Secretary of Energy, in coordination with the Director of the Office of Management and Budget and in consultation with the Secretary of Defense, the Secretary of Homeland Security, the Director of National Intelligence, and the heads of other appropriate Federal agencies, as determined by the Secretary of Energy, determines—

(i) involves covered equipment designed, developed, manufactured, or supplied by persons owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary; and

(ii) poses an undue risk of catastrophic effects on the security or resiliency of critical electric infrastructure in the United States.

## (2) MITIGATION MEASURES.—

(A) IN GENERAL.—The Secretary of Energy, in consultation with the heads of other Federal agencies, as appropriate, may—

(i) in accordance with subparagraph (B), approve a transaction or class of transactions prohibited under paragraph (1); and

(ii) design or negotiate measures to mitigate any concerns identified in making determinations under paragraph (1)(B) with respect to that transaction or class of transactions.

(B) PRECONDITION TO APPROVAL OF OTHERWISE PROHIBITED TRANSACTION.—The Secretary of Energy shall implement the measures described in subparagraph (A)(ii) before approving a transaction or class of transactions that would otherwise be prohibited under paragraph (1).

## (3) APPLICATION.—

(A) IN GENERAL.—The prohibition described in paragraph (1) shall apply to a transaction described in that paragraph regardless of whether—

(i) a contract has been entered into with respect to that transaction before the date of enactment of this Act; or

(ii) a license or permit has been issued or granted with respect to that transaction before the date of enactment of this Act.

(B) CONTRARY LAW.—The prohibition described in paragraph (1) shall apply to each transaction described in that paragraph only to the extent not otherwise provided by—

(i) another statute; or

(ii) a regulation, order, directive, or license issued pursuant to this section.

## (4) PREQUALIFICATION.—

(A) IN GENERAL.—The Secretary of Energy, in consultation with the heads of other Federal agencies, as appropriate, may—

(i) establish and publish criteria for recognizing particular covered equipment and particular vendors in the market for covered equipment as prequalified for future transactions; and

(ii) apply those criteria to establish and publish a list of prequalified equipment and vendors.

(B) SAVINGS PROVISION.—Nothing in this paragraph limits the authority of the Secretary of Energy under this subsection to prohibit or otherwise regulate any transaction involving prequalified equipment or vendors.

## (c) IMPLEMENTATION.—

(1) IMPLEMENTATION BY THE SECRETARY OF ENERGY.—The Secretary of Energy shall take such actions as the Secretary determines to be necessary to implement this section, including—

(A) directing the timing and manner of the cessation of pending and future transactions prohibited under subsection (b)(1);

(B) adopting appropriate rules and regulations; and

(C) exercising any applicable power granted to the President by the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) and delegated to the Secretary.

## (2) REQUIRED RULEMAKING.—

(A) IN GENERAL.—Not later than 150 days after the date of enactment of this Act, the Secretary of Energy, in consultation with the Secretary of Defense, the Secretary of Homeland Security, the Director of National Intelligence, and the heads of other appropriate Federal agencies, as determined by the Secretary of Energy, shall issue rules or regulations to implement this section.

(B) AUTHORITY.—A rule or regulation issued under subparagraph (A) may—

(i) determine that particular countries or persons are foreign adversaries exclusively for the purposes of this section;

(ii) identify persons owned by, controlled by, or subject to the jurisdiction or direction of, foreign adversaries exclusively for the purposes of this section;

(iii) identify particular equipment or countries with respect to which transactions involving covered equipment warrant particular scrutiny under this section; and

(iv) identify a mechanism and relevant factors for the negotiation of agreements to mitigate concerns identified in making determinations under subsection (b)(1)(B).

(3) IDENTIFICATION OF CERTAIN EQUIPMENT.—As soon as practicable after the date of enactment of this Act, the Secretary of Energy, in consultation with the Secretary of Defense, the Secretary of the Interior, the Secretary of Homeland Security, the Director of National Intelligence, the Board of Directors of the Tennessee Valley Authority, and the heads of other appropriate Federal agencies, as determined by the Secretary of Energy, shall—

(A) identify existing covered equipment that—

(i) is designed, developed, manufactured, or supplied by persons owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary; and

(ii) poses an undue risk of catastrophic effects on the security or resiliency of critical electric infrastructure in the United States; and

(B) develop recommendations on ways to identify, isolate, monitor, or replace any covered equipment identified under subparagraph (A) as soon as practicable.

(4) COORDINATION AND INFORMATION SHARING.—The Secretary of Energy shall work with the Secretary of Defense, the Secretary of the Interior, the Secretary of Homeland Security, the Director of National Intelligence, the Board of Directors of the Tennessee Valley Authority, and the heads of other appropriate Federal agencies, as determined by the Secretary of Energy, to protect critical defense facilities from national security threats through—

(A) the coordination of the procurement of energy infrastructure by the Federal Government; and

(B) the sharing of risk information and risk management practices to inform that procurement.

(5) REQUIREMENT.—This section shall be implemented—

(A) in a manner that is consistent with all other applicable laws; and

(B) subject to the availability of appropriations.

(d) REPORTS TO CONGRESS.—The Secretary of Energy shall submit to Congress periodic reports describing any progress made in implementing, or otherwise relating to the implementation of, this section.

**SA 1615.** Mr. SCOTT of Florida submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows: